

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/973,375	10/09/2001	Donald Gerald Stein	07157/239838 (5543-17) 5877	
826 7590 02/14/2008 ALSTON & BIRD LLP BANK OF AMERICA PLAZA			EXAMINER	
			KANTAMNENI, SHOBHA	
	101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE, NC 28280-4000		ART UNIT	PAPER NUMBER
CHARLOTTE	10 20200 1000		1617	
	•		MAIL DATE	DELIVERY MODE
			02/14/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)			
	09/973,375	STEIN ET AL.			
Notice of Abandonment	Examiner	Art Unit			
	Shobha Kantamneni	1617			
The MAILING DATE of this communication and		······································			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address					
This application is abandoned in view of:					
1. Applicant's failure to timely file a proper reply to the Office letter mailed on 11 May 2007. (a) A reply was received on(with a Cert ificate of Mailing or Transmission dated), which is after the expiration of the period for reply (including a total extension of time of month(s)) which expired on					
(b) A proposed reply was received onb ut it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.					
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).					
(c) A reply was received onbut it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).					
(d) ⊠ No reply has been received.					
2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).					
(a) The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated)_, which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).					
(b) ☐ The submitted fee of \$i s insufficient. A balance of \$i s due.					
The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$					
(c) ☐ The issue fee and publication fee, if applicable, has not been received.					
3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).					
(a) Proposed corrected drawings were received on(with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply.					
(b) ☐ No corrected drawings have been received.					
4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.					
5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.					
6. The decision by the Board of Patent Appeals and Interference rendered onand because the period for seeking court review of the decision has expired and there are no allowed claims.					
7. The reason(s) below:					
Applicant's representative was contacted on February 1, 2008 to confirm that no response was filed.					
Madranollas Simesian and armed					
Supervisory parent examiner					
Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.					
U.S. Patent and Trademark Office PTOL-1432 (Rev. 04-01) Notice	of Abandonment	Part of Paper No. 20080212			